

MESSAGE NO: 5271306 MESSAGE DATE: 09/28/2015

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: ADRV-Administrative Review

FR CITE: 76 FR 64307 FR CITE DATE: 10/18/2011

REFERENCE
MESSAGE #
(s):

CASE #(s): A-552-802

EFFECTIVE DATE: 10/18/2011 COURT CASE #:

PERIOD OF REVIEW: 02/01/2009 TO 01/31/2010

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Liquidation instructions for certain frozen warmwater shrimp from the Socialist Republic of Vietnam exported by the Vietnam-wide entity for the period 2/1/2009 through 1/31/2010 (A-552-802)

1. For all shipments of certain frozen warmwater shrimp from the Socialist Republic of Vietnam exported by the Vietnam-wide entity (A-552-802-000) entered, or withdrawn from warehouse, for consumption during the period 2/1/2009 through 1/31/2010, assess an antidumping liability equal to 25.76 percent of the entered value of subject merchandise.
2. In Commerce's amended final results of administrative review, 76 FR 64307, dated 10/18/2011, Commerce determined that the following exporter is not eligible for a separate rate and are considered part of the Vietnam-wide entity:

Exporter: Yelin Enterprise Company, Limited

Therefore, CBP shall liquidate entries of certain frozen warmwater shrimp from the Socialist Republic of Vietnam which were exported by the firm listed above in this paragraph and entered, or withdrawn from warehouse, for consumption during the period 2/1/2009 through 1/31/2010 in accordance with the instructions in paragraph 1 above for the Vietnam-wide entity. Entries of such merchandise may have entered under case number A-552-802-036.

3. The notice of lifting of suspension of liquidation for entries of subject merchandise covered by paragraph 1 occurred with the publication of the amended final results of administrative review (76 FR 64307, 10/18/2011). Unless instructed otherwise, for all other shipments of certain frozen warmwater shrimp from the Socialist Republic of Vietnam, you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current cash deposit rates or per-unit amounts.

4. There are no injunctions applicable to the entries covered by this instruction.

5. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778

requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties are required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

6. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

7. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OV: PW.)

8. There are no restrictions on the release of this information.

Sherri L. Hoffman

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party